

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

ADAM A BALLE

Plaintiff,

VS.

NUECES COUNTY, TEXAS

Defendant/Third-Party Plaintiff,

VS.

NAPHCARE, INC.

Third-Party Defendant.

CIVIL ACTION NO. 2:14-CV-66

## **NUECES COUNTY'S NOTICE OF DISMISSAL**

TO THE HONORABLE COURT:

NOW COMES Nueces County, Texas (Nueces County), Defendant/Third-Party Plaintiff  
in the above numbered and styled cause, filing this Notice of Dismissal, and in support thereof,  
shows the Court as follows:

1. Nueces County filed its Original Third Party Complaint on December 4, 2017, against Naphcare, Inc.
2. The Defendant executed a Waiver of the Service of Summons.
3. The Defendant has not served either an answer or a motion for summary judgment. *See* FRCP 41(a)(1)(A)(i).
4. Nueces County files this its Notice of Dismissal with the intention of dismissing the case under FRCP 41(a)(1)(A)(i) without prejudice to refiling.

Respectfully submitted,

LAURA GARZA JIMENEZ,  
NUECES COUNTY ATTORNEY

/s/ Jenny Cron  
Jenny Cron  
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**Attorneys for Defendant/  
Third-Party Plaintiff, Nueces County, Texas**

**NOTICE OF ELECTRONIC FILING**

Undersigned counsel hereby certifies that a true and correct copy of this document was submitted electronically for filing in accordance with the Electronic Case File System of the Southern District of Texas on February 27, 2018.

/s/ Jenny Cron  
Jenny Cron

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of this document was served on:

**VIA CM/ECF**

Bill Berry  
berrylaw@sbcglobal.net  
Counsel for Plaintiff

on this the 27th day of February, 2018.

/s/ Jenny Cron  
Jenny Cron

